

DEANNA L. FORBUSH (6646)
COLLEEN E. MCCARTY (13186)
FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, #700
Las Vegas, Nevada 89135
(702) 262-6899 tel
(702) 597-5503 fax
dforbush@foxrothschild.com
cmccarty@foxrothschild.com
*Attorneys for Defendant Western Best LLC
d/b/a The Chicken Ranch*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KIZZY BYARS, DANIELLE JAMES, as
Individuals and On Behalf of Others Similarly
Situated,

Case No. 2:19-cv-01690-JCM-DJA

Plaintiffs.

STIPULATION AND ORDER

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WESTERN BEST LLC, a Nevada Limited Liability Company doing business as THE CHICKEN RANCH; DOES I through X, inclusive, and ROE CORPORATIONS I through X, inclusive,

Defendants.

On September 9, 2019, Plaintiffs Kizzy Byars and Danielle James, as individuals and on behalf of others similarly situated (“Plaintiffs”), filed a Complaint in the United States District Court, District of Nevada (Dkt 1);

On November 8, 2019, the Court entered an Order Setting Early Neutral Evaluation (“ENE”) Session for January 13, 2020, at 10:00 am before Magistrate Judge Cam Ferenbach (Dkt 10);

On November 21, 2019, Defendant Western Best LLC d/b/a The Chicken Ranch filed its Motion to Dismiss the Complaint (Dkt 13);

On January 9, 2020, Plaintiffs filed a Motion to Amend Complaint (Dkt 21).

2 On January 13, 2020, the Court conducted the ENE session (“ENE Session”). During the
3 ENE Session, the Parties held their Rule 26(f) Conference.

4 Deanna Forbush, Esq. of Fox Rothschild LLP appeared at the ENE session, on behalf of
5 Defendants and Ryan Alexander, Esq. of Ryan Alexander Chtd. appeared at the ENE Session and
6 26(f) Conference on behalf of Plaintiffs wherein the Parties conferred regarding the pending
7 Motions and agreed that Defendant would not object to Plaintiffs' Motion to Amend, Defendant
8 would withdraw its Motion to Dismiss and refile after the Amended Complaint was filed,
9 Defendant would thereafter refile its response to Plaintiffs' Amended Complaint, and that the
10 Parties would serve their respective initial disclosures on or before January 27, 2020.

STIPULATION

12 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and
13 between Plaintiffs and Defendants, through their respective counsel of record, as follows:

- 14 1. Defendant will withdraw its Motion to Dismiss;
15 2. Plaintiffs will withdraw their Opposition to Defendant’s Motion to Dismiss;
16 3. Defendant will file a non-opposition to Plaintiffs’ Motion to Amend the Complaint;
17 4. Plaintiffs file their Amended Complaint, unopposed;
18 5. Defendant will have 30 days from the date Plaintiffs file their Amended Complaint
19 to file a responsive pleading; and
20 6. The Parties will serve their respective Initial Disclosures on or before January 27,
21 2020.

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1 **IT IS SO STIPULATED.**

2 DATED this 21st day of January, 2020.

3 **FOX ROTHSCHILD LLP**

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5 /s/ Deanna L. Forbush
6 DEANNA L. FORBUSH (6646)
7 COLLEEN E. MCCARTY (13186)
8 1980 Festival Plaza Drive, #700
9 Las Vegas, Nevada 89135
10 *Attorneys for Defendant Western Best LLC*
11 *d/b/a The Chicken Ranch*

DATED this 21st day of January, 2020.

RYAN ALEXANDER, CHTD.

/s/ Ryan Alexander
RYAN ALEXANDER (10845)
3017 West Charleston Blvd., Ste. 58
Las Vegas, Nevada 89102
Attorneys for Plaintiffs

10 **IT IS SO ORDERED**

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UNITED STATES DISTRICT JUDGE

13 DATED: January 23, 2020